

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Suresh K. Arya, Ph.D.

Application No. 10/731,988

Filed: December 9, 2003

Confirmation No. 9402

For: LENTIVIRUS VECTOR SYSTEM

Examiner: Myron G. Hill

Art Unit: 1648

Attorney Reference No. 4239-67517-01

COMMISSIONER FOR PATENTS

P.O. BOX 1450

ALEXANDRIA, VA 22313-1450

DECLARATION UNDER 37 C.F.R. 1.132

1. I, Suresh K. Arya, Ph.D., am the sole inventor named in the above-referenced patent application.

2. I have read and understand the above-referenced patent application, including the pending claims, and the Office action dated March 24, 2006.

3. It is my understanding that in the Office action of March 24, 2006, claims 7, 11, and 15 are rejected as anticipated by Arya *et al.* (*Human Gene Therapy*, 9:1371-80, 1998). That document discloses subject matter which I myself conceived. The other co-authors, Maryam Zamani and Priya Kundra are not inventors with respect to the present application, because they merely carried out experiments which I directed and supervised.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Suresh K. Arya

Suresh K. Arya, Ph.D.

5/10/06

Date